

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PAULA BROWN; D.D.,

Plaintiffs,

-against-

ERNEST WEBB,

Defendant.

22-CV-6493 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff Paula Brown, who is appearing *pro se*, brings this action on behalf of herself and her grandson D.D., who is a minor child.<sup>1</sup> This matter arises out of a federal criminal action in this court before Judge Nelson S. Román. *See United States v. Overton*, No. 17-CR-0644-12 (NSR) (S.D.N.Y. July 18, 2022). Because Plaintiff complains of denial of her rights under the Crime Victims' Rights Act ("CVRA"), 18 U.S.C. § 3771, and seeks restitution, the Court construes the complaint as a motion to be filed in the criminal case.

Accordingly, the Court directs the Clerk of Court to: (1) file the complaint in this case (ECF 3) as a motion under the CVRA in the criminal action under docket number 17-CR-0644-12 (NSR); and (2) administratively close this case (22-CV-6493 (LTS)). The complaint should remain restricted as provided by the Court's November 7, 2022, order (ECF 5), and all other pending matters in this case are terminated.

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<sup>1</sup> Under Rule 5.2(a)(3) of the Federal Rules of Civil Procedure, a court submission that refers to a minor child may only refer to the minor child using the child's initials. Because Plaintiff listed her grandson's full name in the complaint and an IFP application (ECF 2, 3), on November 7, 2022, the Court directed the Clerk of Court to remove his full name from the docket of this action, to list him on the docket as "DD," and to restrict electronic access to the complaint and the IFP application to a "case participant-only" basis (ECF 5).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: November 30, 2022  
New York, New York

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
Chief United States District Judge